

Minutes of the Veneta City Council

June 25, 2007

Council

Present: Mayor T. J. Brooker, Thomas Cotter, Marion Esty, Darrell Carman, and Sharon Hobart-Hardin

Absent: Marion Esty

Others: Margaret Boutell; Community Service Director, Darci Henneman, Assistant City Recorder, Joan Mariner, Anna Morrison and Jeneca Jones; West Lane News

Mayor Brooker called the Veneta City Council meeting to order at 7:00 p.m.

1. PUBLIC COMMENT

Joan Mariner, 25712 Cochran Ct., Veneta, OR;

Ms. Mariner said ART, Inc. is selling wine on June 21, 2007. She encouraged staff and Councilors not to wait too long to make a purchase because there is a limited amount to be sold with the ART, Inc. label. She asked Councilors to contact her for more information.

2. CONSENT AGENDA

MOTION: Sharon Hobart-Hardin made a motion to approve the consent agenda. Darrell Carman seconded the motion.

Vote: Thomas Cotter, aye; Mayor Brooker, aye; Darrell Carman, aye; and Sharon Hobart-Hardin, aye.

The consent agenda as approved included minutes for June 4, 2007 Joint Work Session of the Veneta City Council and Planning Commission, Bill Payables for May/June 2007, and Civic Calendar for July 2007. Margaret said the Parks Board meeting is on July 10, 2007 not July 3rd as reflected from the Civic Calendar.

In response to a question from Thomas Cotter, Margaret said the advanced payment of \$450 to Duncan & Brown was for a timber evaluation on the St. Catherine's property. The church wants to value the timber as well as the property.

In response to a question from Joan Mariner, Mayor Brooker said he and Ric met with Lane Transit District (LTD) to discuss the Luther Lane Transit Station. LTD's plan is to draw up a foot print of the station and enter into negotiations with Oregon Department of Transportation (ODOT) in the next couple of years to incorporate the transit station and a park and ride into a LTD Capital Improvement Project (CIP).

3. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

(1) Law Enforcement Activities Report, Sgt. Harrold LCSO

Sgt. Harrold said the Oregon Country Fair will be hosting a meeting with all campground owners. He said this is the first such meeting and felt it will be beneficial. In response to a question from Darrell Carman, Sgt. Harrold said traffic stops have increased now that the weather had turned warmer. Darrell Carman felt speeding traffic on Perkins Rd. has decreased in the last few weeks.

4. STAFF REPORTS

a. COMMUNITY SERVICE DIRECTOR MARGARET BOUTELL

(1) Department of Forestry Surplus Property Notice (TSP Acquisition)

Margaret provided the notice from the Oregon Department of Administrative Services (DAS) declaring the Department of Forestry property now used by the Territorial Sports Program (TSP) as surplus property. The notice states the property will be sold to the City for the continued use as ball fields for TSP.

Sharon Hobart-Hardin suggested the wording be changed to read "in a continuing use for ball fields for the community".

Mayor Brooker said several years down the road the City may find another site for the ball fields and wouldn't want to tie the City's use of the property to an indefinite specific use of the property. He suggested changing the language to "property as future park land currently used as community ball fields".

Margaret confirmed the wording to read "property being currently used as ball fields for the community".

MOTION: Sharon Hobart-Hardin made a motion to approve Mayor Brooker sign the letter to Oregon Department of Administrative Services for the acquisition of the Territorial Sports Program property from the Department of Forestry. Thomas Cotter seconded the motion, which passed with a vote of 4-0.

Mayor Brooker introduced Anna Morrison at the meeting.

(2) Bolton Hill Road Improvement Project

Margaret stated the Intergovernmental Agreement binds the City to costs over and above the original \$360,000 the City pledged for the project mainly due to wastewater and other improvements that are not funded by the County's road fund. Additional costs for the project could be unavoidable if the City wanted to move forward with the project, which is still not reliably funded by the County. The Board of Commissioners will be making a decision to move forward with the design on July 11, 2007. The Board is expected to revisit funding issues in September prior to knowing if construction can occur in 2008. To expedite their decision, staff suggested Ric sign the Intergovernmental Agreement for the Bolton Hill Road Improvement project.

Margaret felt the Agreement needed some revisions: 1). Street lights, bio retention and affluent line as well as conduit should be included in the construction; 2). A review of the design by the City Engineer to make sure it's built to City standards, prior to County approval; 3). Delegation of authority to the County to review and approve construction contract change orders and extra work should be changed to a not to exceed amount of \$5,000 rather than \$25,000 before the County notified the City of a change order; and 4). County furnishing base date to the City by December 1, 2007.

Darrell said if the City would need to approve all change orders, it might become cumbersome and hold up the project. He suggested going to a contingency amount not to exceed a certain amount rather than individual change orders of \$5,000 each.

Mayor Brooker asked to see the changes in writing prior to sending it to the County. He said time is of essence. Everyone realized there will be more costs involved.

Margaret said the City can assess for the wastewater and possibly the stormwater, SDC funds can be used along with gas tax funds and two fiscal years to pay the \$360,000.

MOTION: Darrell Carman made a motion to approve Margaret (for the Administrator) sign the Intergovernmental Agreement, after the changes have been made. Sharon Hobart-Hardin seconded the motion.

Mayor Brooker and Thomas Cotter felt they didn't want the County to have authorization to make change order approvals at such a high level of funds.

Thomas Cotter agreed with giving the County authorization for change orders up to \$5,000, anything over that amount should require Council approval.

In response to a question from Margaret, Darrell Carman said setting a contingency level for the City Administrator to require Council approval over \$5,000 per change order is too complicated.

Mayor Brooker said if there's a major change, there must be a major problem. He suggested limiting the County's authority for change orders up to \$5,000 and anything over that amount should require approval from the Council. He said Ric has the ability to get Councilors' votes quickly without holding up the project.

Thomas Cotter said it's their duty as City Councilors to make these decision and overview the expenditures and changes, not the City Administrator or City Engineer.

Sharon said Council's obligation is to look at a project and make sure it's feasible and financially advisable then give approval for the project. She felt including Councilors in the change order authority is micro-managing.

At the request of the City Council, Assistant City Recorder, Darci Henneman restated the motion and Councilors voted.

VOTE: 3-1, Sharon Hobart-Hardin voted no.

Mayor Brooker and Thomas Cotter requested a copy of the Intergovernmental Agreement with the above changes prior to signing the agreement.

(3) Summer Recreation Update

Margaret informed the Council the "Play in the Park" program started today, Monday, June 25th. The City hired Stacy Cornelius as the Recreation Program Coordinator and Willamalane Parks and Recreation District also hired Ms. Cornelius to work with their program. Margaret said eight kids were registered for today's program. Ten children are registered for the first session of swim lessons at Camp Wilani. There were no children registered for YMCA swim lessons for first session. Margaret is hopeful enrollment will increase once summer progresses.

(4) Sustainable Management

Margaret referred to the Resolution to Support Sustainable Management of Oregon's Public Forests. She said Anna Morrison submitted the Resolution for suggestion that Councilors pass a resolution in support of her resolution. Anna Morrison said the Resolution refers to O & C counties, including Lane County, winning a lawsuit against the Bureau of Land Managements (BLM) in 2005 in regards to BLM not managing forest lands according to the 1937 Act. The BLM was ordered to revise the five management plans and those revision are due by 2008. The plans will be delivered to the public August 6, 2007 and public comment will be held open for 90 days. At that time the BLM will make a record of decision to be submitted to the Court. The purpose of the Resolution is an advocacy by the Association of Oregon Counties (AOC). Jackson, Josephine and Douglas County have created the "Communities for Sustainable Forest Management" to educate the public on what this is about. Public comment will be accepted when the alternatives are published for review. The Resolution is a community awareness program to support sustainable forest management. Ms. Morrison is contacting all counties north of Lane County, from I-5 to the coast that are O & C counties and another individual has all southern counties trying to get word out to encourage public comment.

Ms. Morrison said the O & C lands provide rural schools in Lane County with 20 million dollars. She was in Washington D.C. May 12th to the 19th when the one year extension on the "Secure Rural Schools" was granted. The Court felt the counties were in their right that the 1937 Act was not being implemented the way it was intended.

In response to a question from Mayor Brooker, Ms. Morrison said the BLM has published six new letters since the Plan revisions were started, to bring the public up to speed. There are three alternatives with sub-categories under each. BLM is not commenting on their preferred alternative until it's released to the public the first part of August. That preferred alternative will determine the amount of revenue to be generated.

In response to a question from Thomas Cotter, Ms. Morrison said the Resolution is in favor of logging county lands in a sustainable manner and that such logging will comply with the existing provisions, there would not be clear cutting. She said the three alternatives are as follows: Alternative 1). No change to the existing Plan which is under the Northwest Forest Plan (NFP); Alternative 2). From the counties' perspective, this would probably be the most economical to do; Alternative 3). Would be okay for the Salem and Eugene BLM District because we have all of the Eugene BLM District and a small corner of the Roseburg District. However, this would not work very well for the Southern communities/counties of Roseburg, Medford, Coos Bay and Wagonwheel.

In response to a question from Thomas Cotter, Ms. Morrison is not requesting Councilors to endorse a Plan now. This is a precursor to educate Council members and the public to make sure the land will be managed and logging will comply with all laws including the Endangered Species Act, NEPA and wildfire issues. If the Agency moves forward then the public can weigh in regarding which alternative as Councilors, or preferably as individuals, they would be in support of.

Ms. Morrison said the BLM now is required to comply with portions of the 1937 Act which they haven't done since 1992. That is why the lawsuit was filed in the late 1990s and it's taken until 2005 to get a decision at the federal level. She said no action from the Councilors is required at tonight's meeting. She wanted to include the information in the Council packets and she would attend tonight's meeting to explain the Resolution and answer any questions Councilors may have. She said with what is being collected in the "Secure Rural Schools", none of the alternatives will generate the same previous amount of revenue (20 million dollars). She said when the Act was passed the first time, she wanted to go back to the latter part of the 1980's, early 1990's because those were Lane County's highest timber volume years.

Mayor Brooker felt this is an important issue for our community. He said it's time the federal government made a decision to utilize the land the way they were intended to be used or to pay the counties the way the Act intended. Whatever the alternative may be, it would be better than the alternative prior to winning the lawsuit which was the funding goes away completely. Mayor Brooker thanked Anna Morrison and she excused herself from the meeting.

(5) **Resolution 949 - A RESOLUTION INITIATING AN EXPEDITED ANNEXATION TO THE CITY OF VENETA**

Margaret said the Urban Growth Boundary UGB expansion requires a resolution to expedite the annexation process. She said by doing an expedited annexation, studies and public hearings are not required. Staff is requesting Councilors initiate the annexation process.

Sharon Hobart-Hardin said the Boundary Commission was abolished by the State Legislature.

Margaret said she was unsure when it would take effect, but the abolishment will likely not take affect until July 1, 2007.

In response to a question from Sharon Hobart-Hardin, Margaret said if Resolution 949 was not presented to the Boundary Commission before July 1, 2007, it would still need to go before another County agency.

Margaret said the Resolution is required to get the annexation completed and Hayden Homes is very anxious to begin their project.

Sharon Hobart-Hardin asked why a resolution would be going to the Lane County Boundary Commission when the board is due to be abolished on July 1, 2007.

In response to a question from Margaret, Sharon Hobart-Hardin said she is 99.9% confident the Boundary Commission abolishment passed. She felt there was another process to follow. She was concerned taking this route may not be allowed because the Boundary Commission doesn't exist.

Mayor Brooker said if the Boundary Commission didn't pass the resolution, it would need to go before the Board of Commissioners.

Margaret said the proposal is for Lane County to take over the Boundary Commission duties and possibly the new Commission would be referred to as "Lane County Boundary Commission" rather than the previous "Lane Council of Government Boundary Commission" due to expire.

In response to a question from Darrell Carman, Sharon Hobart-Hardin suggested postponing approval of Resolution 949 until Councilors know whether or not the previous Boundary Commission will expire on July 1, 2007. She is concerned this is not the correct process for including the annexation of property into the Urban Growth Boundary.

MOTION: Thomas Cotter made a motion to approve Resolution 949. Darrell Carman seconded the motion, which passed with a vote of 4-0.

- (6) **Resolution 950 - A RESOLUTION EXTENDING CITY OF VENETA'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF VENETA FOR COVERAGE YEAR 2007-08**

MOTION: Sharon Hobart-Hardin made a motion to approve Resolution 950. Thomas Cotter seconded the motion, which passed with a vote of 4-0.

5. OTHER

Margaret reminded Councilors of the July 9, 2007 Work Session with the Planning Commission prior to the regular Council meeting.

Thomas Cotter informed Councilors and staff that a Veneta man was killed in the Iraq War and requested the City honor this young man in some way.

Mayor Brooker said he and Ric have been working with Veterans of Foreign Wars (VFW) to get some kind of a memorial in the downtown area to honor our local Veterans.

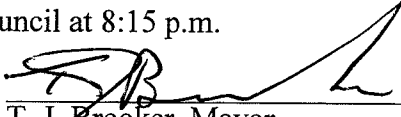
Sharon Hobart-Hardin suggested the Council pass a resolution recognizing his bravery and courage and provide a plaque to his family.

Thomas Cotter suggested rather than making a Veneta Memorial, include the whole Fern Ridge area (Elmira, Noti, Crow). The young man's name was Joseph Kenny. He asked Jeneca to contact Bruce Cutshall and said she would look into ordering the City Hall flag at half staff and suggested holding a memorial on Veterans' Day.

Sharon said when the Park Board planted memorial trees at Territorial Park, they conducted a small ceremony for the armed services.


6. ADJOURN

Mayor Brooker adjourned the City Council at 8:15 p.m.



T. J. Brooker, Mayor

ATTEST:



Darci Henneman, Assistant City Recorder
(minutes prepared by dhenneman)